



**Issue Date: 08 September 2004**

Case No.: 2004-SOX-40

In the Matter of:

John G. Martinez,  
Complainant

v.

A.B. Watley Group,  
Respondent,

### **FINAL ORDER APPROVING SETTLEMENT**

This proceeding arises from a complaint filed by John G. Martinez against A.B. Watley Group LLC, alleging violation of § 806 of the Sarbanes-Oxley Act of 2002, 18 U.S.C. 1514A (the "SOX Act").

The parties have submitted a "Motion for Approval of Settlement," and a "Settlement Agreement and General Release" (the "Agreement") that became fully executed on August 11, 2004, and resolves the SOX Act action. Although the parties' settlement agreement contains provisions that relate to present and future action by Complainant under other statutes, I have no authority to approve such provision and the instant order makes no determination regarding the propriety of these provisions.

Having reviewed the parties' Agreement with regard to the complaint under the SOX Act, I make the following findings:

1. The Agreement appears to be fair and reasonable on its face and to effectuate the purposes and policies of the SOX Act.

2. The parties are deemed to have waived any further proceedings before the U.S. Department of Labor regarding the matters which are the subject of their Agreement.

3. The instant order shall have the same force and effect as one made after a full hearing on the merits.

Based on the foregoing, and in accordance with the parties' Agreement, it is ORDERED that:

1. The Agreement is APPROVED.
2. The SOX Act complaint in this matter is DISMISSED with prejudice and without cost or attorneys' fees to either party.

A

LINDA S. CHAPMAN  
Administrative Law Judge